



**Tennessee Department of Environment and Conservation
Attorney, Office of General Counsel
Annual Salary Range: \$48,948 - \$97,140**

About the Tennessee Department of Environment and Conservation (TDEC)

The Department is responsible for:

- Safeguarding the health and safety of Tennessee citizens from environmental hazards.
- Protecting and improving the quality of Tennessee's land, air, and water.
- Managing the system of 56 Tennessee State Parks and 83 Natural Areas.

TDEC has approximately 2,900 employees working across Tennessee supported by a total budget of more than \$300 million with funding from fees for services, state parks revenue, federal sources, and the state general fund. TDEC is the chief environmental and natural resource regulatory agency in Tennessee with delegated responsibility from the U.S. EPA to regulate sources of air pollution, radiological health issues, solid and hazardous waste, underground storage tanks, water pollution, water supply, and groundwater pollution. TDEC has eight (8) regional offices across the state serving as the primary point of contact for their respective regions.

About the Office of General Counsel (OGC)

TDEC's OGC seeks to maintain the highest standards of excellence in the enforcement of state environmental laws and the representation of the Department. We are seeking highly qualified applicants with demonstrated strong advocacy and trial skills and excellent academic and professional credentials. Successful candidates will also share the same values of integrity, fairness, accountability, teamwork and commitment to excellence.

Summary of Position

This attorney position is an Executive Service position within OGC, which is located at TDEC's Central Office in Nashville, TN at the William R. Snodgrass Tennessee Tower, 2nd Floor. The successful candidate will serve as a member of the Litigation Team in OGC and will report directly to the Litigation Team Leader. The Office of General Counsel is specifically seeking an attorney with current or prior litigation experience of at least two (2) years. Salary and attorney level (either Attorney 2 or Attorney 3 as defined by the Department of Human Resources) will be commensurate with experience. The attorneys on the Litigation Team include four (4) experienced attorneys that are expected to support various divisions within TDEC and to be fully capable of independently handling complex civil litigation on behalf of the Department. The team is also supported by two (2) investigators and at least one (1) paralegal.

Principal Duties and Responsibilities

Prompt, Efficient, and Effective Disposition of Complex Litigation:

- Work in a supportive and professional manner with other attorneys, support staff and client agencies.
- Communicate effectively with the Court, witnesses, opposing counsel and co-counsel.

- Conduct a detailed review of files to analyze the pertinent facts, issues of law and understand the underlying rationale for orders, penalties or permits so as to initiate action, including issuance of Commissioner's order.
- Prepare or respond to complex pleadings, written discovery, depositions, motions and briefs in support of litigation strategies. Quickly, accurately and precisely articulate the critical issues in a case.
- Independently formulate litigation strategies based on applicable substantive and procedural laws and to effectively communicate same to management.
- Provide leadership through the alternative dispute resolution process or otherwise assist the client agencies in negotiating an appropriate resolution of contested cases.
- If settlement is not appropriate or one cannot be reached, independently prepare and present witnesses, exhibits and other evidence to the appropriate board, administrative law judge, General Sessions Court, or courts of record.
- Effectively and timely dispose of cases in a manner consistent with OGC's established protocol.

Legal Advice

- Perform complex as well as routine legal reviews and analysis in order to formulate courses of action which support the business mission and maintain compliance with laws and regulations.
- Provide legal advice to Department personnel, including legal oversight of the development and monitoring of contracts and grants to ensure compliance with federal and state laws, regulations, court orders, and consent decrees.
- Interpret and apply federal and state legal requirements affecting TDEC programs and advise clients and management on needed actions.
- Perform requests for legal referrals to the Attorney General's Office and provide assistance to the Attorney General's Office to ensure referrals are handled in a timely manner.
- When needed, prepare memoranda, letters or other documents to carry out both the advice and the action of the Department. Provide other effective and timely communications, information and legal advice to client divisions and programs.
- Maintain professional and legal knowledge by attending educational workshops, reviewing professional publications, establishing personal networks, and participating in professional societies.

Knowledge, Skills and Abilities

The successful candidate will have a demonstrated ability to function as a civil litigator with minimal guidance in a highly demanding work environment and possess the following attributes:

- Results oriented individual with a commitment to the mission of the Department.
- Strong research and keen analytical skills which support tactical and strategic decision-making abilities.
- Proven leadership skills – able to influence and motivate others to achieve quality results in an effective and efficient manner. Interpersonal skills that enables applicant to effectively deal with people at various levels within the Department, as well as external stakeholders.
- Superior oral and writing skills.
- Demonstrates high integrity and good judgment.

Education / Experience:

Applicants must possess a Bachelors' degree, a J.D. degree, a Tennessee law license (or the ability to be licensed in Tennessee immediately), and a minimum of two (2) or more years of experience in the full-time practice of law with an emphasis in litigation before administrative bodies and/or courts of record. Experience and expertise in environmental law is preferred, but not required.

All interested candidates should submit an electronic resume, cover letter, and legal writing sample to Beth Smith at **TDEC.Careers@tn.gov**. The position will remain posted until April 30, 2015. Questions can be addressed to Beth Smith at (615) 253-5907 or TDEC.Careers@tn.gov.

Beth Smith, Talent Management Director

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TDEC is an AA/EEO/ADA equal opportunity employer.